

Appl. No. 10/573,453

Reply to Office Action of October 22, 2007

REMARKS

This Amendment and Response is in reply to the Office Action of October 22, 2007. A one (1) month Petition For Extension of Time is filed concurrently herewith. Therefore, the time period for reply extends up to and includes February 22, 2008. Applicants wish to thank the Examiner for her careful review and consideration of the present application, as well as the courtesy extended during the phone interview.

Claims 1, 6, 10, 11, 12, and 14 have been amended above. Claim 15 has been canceled above without prejudice or disclaimer. The amendments to the claims are fully supported by the specification, claims and drawings as originally filed. No new matter has been added.

Examiner Interview

Applicants' attorney below conducted a telephonic interview with the Examiner on 22 January 2008. A proposed claim set was provided to the Examiner, with the proposed claim 1 discussed in connection with the Heywood and Ruff et al. references. The Examiner agreed that the proposed claim set overcame the Heywood reference, however, no final agreement was reached. The above amendments to the claims are the same as the proposed claims provided to the Examiner prior to the interview.

Claim Rejections Under 35 USC § 102

At paragraphs 1 and 2 of the Office Action, the Examiner rejected claims 1-3, 6-8, 10 and 12 under §102(b) as being anticipated by U.S. Patent No. 479,275 (Heywood). At paragraph 3, the Examiner rejected claims 1 and 11 under §102(b) as being anticipated by U.S. Patent No. 4,913,576 (Grant, Jr.). At paragraph 4, the Examiner rejected claims 14-15 under §102(b) as being anticipated by U.S. Patent No. 6,018,924 (Tamlyn). Applicants traverse the rejections.

Claims 1 and 12 have been amended above to recite that the joining member has a resilient retaining member which has a first biased configuration and a second configuration for insertion, wherein the resilient retaining member returns at least towards said first biased configuration after it moves beyond the gap. Claim 14 has been amended to recite that the joining member has

Appln. No. 10/573,453
Reply to Office Action of October 22, 2007

at least two resilient extension members each of which include a resilient retaining member having a first biased configuration and a second different insertion configuration, wherein when the resilient retaining members are moved beyond the gap, they return toward said first biased configuration. None of these three references cited by the Examiner (Heywood, Grant, Jr. and/or Tamlyn) disclose and/or teach those recited features. It is further noted that the Examiner agreed during the telephone interview that the Heywood reference did not disclose the amended claim 1.

Claims 2-3, 6-8, and 10-11 ultimately depend from claim 1 and so include all of the limitations thereof. Accordingly, such claims are also in condition for allowance. Applicants do not otherwise concede the correctness of the rejection and reserve the right to make additional arguments as may be necessary.

Claim 15 has been canceled without prejudice or disclaimer above, and so the rejection to that claim is rendered moot.

In view of the foregoing, Applicants request reconsideration and withdrawal of the §102 rejections.

Claim Rejections Under 35 USC § 103

At paragraph 6, the Examiner rejected claim 4 under §103(a) as being unpatentable over U.S. Patent No. 479,275 (Heywood) in view of U.S. Patent No. 4,067,155 (Ruff et al.). At paragraph 7 of the Office Action, the Examiner rejected claim 9 under §103(a) as being unpatentable over U.S. Patent No. 479,275 (Heywood). Applicants traverse the rejections.

First, as discussed above, Heywood does not disclose the invention recited in Applicants' claim 1 from which claim 4 ultimately depends. More specifically, Heywood does not disclose resilient retaining members as recited in Applicants' claim 1. Ruff et al. does not overcome the deficiencies of Heywood. For example, Ruff et al. does not disclose a resilient retaining member that returns toward a first biased position when it is moved beyond said gap and/or wherein the resilient retaining member engages at least a portion of the second surface of the panel. Claim 4

Appl. No. 10/573,453
Reply to Office Action of October 22, 2007

adds still another limitation, which Applicants do not concede is rendered obvious by the Examiner's combination of Heywood and Ruff et al.

Second, as discussed above, Heywood does not disclose the invention recited in Applicants' claim 1 from which claim 7 ultimately depends. The Examiner agreed during the telephone interview that Heywood did not anticipate amended claim 1. Accordingly, claim 7 -- which includes all of the limitations of claim 1 -- is not rendered obvious by Heywood.

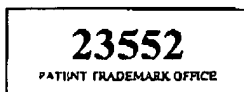
In view of the foregoing, reconsideration and withdrawal of the §103 rejections is requested.

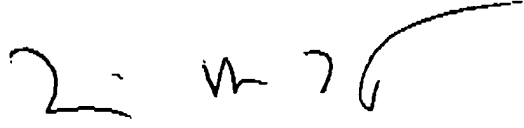
Conclusion

In view of the above amendments and remarks, Applicants respectfully request a Notice of Allowance. If the Examiner believes a telephone conference would advance the prosecution of this application, the Examiner is invited to telephone the undersigned at the below-listed telephone number.

Respectfully submitted,

6 February 2008
Date





Brian H. Batzli
Reg. No. 32,960
Merchant & Gould P.C.
P. O. Box 2903
Minneapolis, MN 55402-0903
612.336.4755